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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Thomas Bradford Hogan Docket: 102466-100  
Serial No.: 10/651,429 Art Unit: 3765  
Filed: August 29, 2003 Examiner: Not yet assigned  
Conf. No. 8630 Cust. No. 27267  
Assignee: N/A  
Title: TROUSERS FOR ATHLETE PARTICULARLY FOR CYCLIST AND METHOD OF MAKING THE SAME



**Certificate of Mailing**

Date of Deposit. June 3, 2004  
I hereby certify under 37 CFR 1.8(a) that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed:

Name: Elizabeth A. Geschke

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER**

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98, please find enclosed an Information Disclosure Statement, Form PTO-1449 and one copy of each cited reference. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

- a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1); and no fee is required under 37 C.F.R. §1.17(p).
  - b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2); and no fee is required under 37 C.F.R. §1.17(p).
- Please charge Deposit Account No. 23-1665 in the amount of \$180.00 in payment of the fee under 37 C.F.R. §1.17(p). Two additional copies of this Information Disclosure Statement are enclosed.
- A check in the amount of \$180.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).
3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.
- a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).
  - b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any

individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).

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- A check in the amount of \$180.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Respectfully submitted,  
Thomas Bradford Hogan

  
Signature of Attorney  
Elizabeth A. Geschke  
WIGGIN AND DANA LLP  
One Century Tower  
New Haven, CT 06508-1832  
Telephone: (203) 498-4345  
Facsimile: (203) 782-2889

Date: June 3, 2004  
Reg. No. 52,941

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Signed: 

Name: Elizabeth A. Geschke

### INFORMATION DISCLOSURE STATEMENT

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Dear Sir:

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicant wishes to make of record the items on attached PTO Form 1449 which were considered in the preparation of the subject application. Copies of the items are enclosed herein.

1. U.S. Published Patent Application 2001/0032525 to McIlraith, published October 25, 2001.
  
2. U.S. Published Patent Application 2002/0056510 to Erdos et al., published May 16, 2002..

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as representation that no better art exists or that a thorough patentability search has been made.

Respectfully submitted,  
Thomas Bradford Hogan

Date: June 3, 2004  
Reg. No. 52,941



Signature of Attorney  
Elizabeth A. Geschke  
WIGGIN AND DANA LLP  
One Century Tower  
New Haven, CT 06508-1832  
Telephone: (203) 498-4345  
Facsimile: (203) 782-2889

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FORM PTO-1449

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.